

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The People of the State of New York,

Plaintiff,

—v—

Debt Resolve, Inc., *et al.*,

Defendants.

18-cv-9812 (AJN)

ORDER

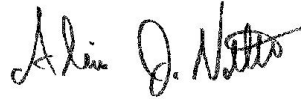
ALISON J. NATHAN, District Judge:

As noted in the Stipulated Final Judgment & Order between Plaintiff and Defendants Debt Resolve, Inc., Student Loan Care, LLC, Progress Advocates, LLC, Bruce Bellmare, and Stanley E. Freimuth, “[Plaintiff’s] case against Defendant Hutton Ventures, LLC will continue.” Dkt. No. 162, at 2.

Plaintiff received a certificate of default against Defendant Hutton Ventures, LLC on May 6, 2019. *See* Dkt. No. 100. Nevertheless, Plaintiff never subsequently moved for default judgment. Within two weeks of this order, Plaintiff shall move for default judgment against Defendant Hutton Ventures, LLC, pursuant to this Court’s Individual Practices in Civil Cases, or file a status update with the Court explaining why a motion for default judgment against Defendant should not be filed at this time. Plaintiff is on notice that failure to do so by this date may result in the claims being dismissed with prejudice for failure to prosecute. *See United States ex rel. Drake v. Norden Systems*, 375 F.3d 248, 250 (2d Cir. 2004) (noting “a district judge’s authority to dismiss actions based on a plaintiff’s failure to prosecute”).

SO ORDERED.

Dated: July 28, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written in a cursive style.

ALISON J. NATHAN
United States District Judge